## IN THE COURT OF APPEALS OF THE STATE OF IDAHO

## **Docket No. 47681**

STATE OF IDAHO,	)
, D. A. (100 D	) Filed: November 4, 2020
Plaintiff-Respondent,	) ) Melanie Gagnepain, Clerk
v.	)
	) THIS IS AN UNPUBLISHED
BRYAN A. DEWITTE,	) OPINION AND SHALL NOT
	) BE CITED AS AUTHORITY
Defendant-Appellant.	)
	)
Appeal from the District Court	t of the First Judicial District, State of

Idaho, Kootenai County. Hon. Scott Wayman, District Judge.

Judgment of conviction and indeterminate sentence of five years for felony malicious injury to property, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Justin M. Curtis, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Kacey L. Jones, Deputy Attorney General, Boise, for respondent.

> Before HUSKEY, Chief Judge; LORELLO, Judge; and BRAILSFORD, Judge

## PER CURIAM

Bryan A. Dewitte pled guilty to felony malicious injury to property. I.C. § 18-7001(F). In exchange for his guilty plea, an additional charge that he is a persistent violator was dismissed. The district court sentenced Dewitte to an indeterminate term of five years to run concurrently with an unrelated sentence. Dewitte appeals, arguing that his sentence is excessive.1

Dewitte also pled guilty to and was sentenced for misdemeanor battery. However, he does not challenge that judgment of conviction and sentence on appeal.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of the sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Dewitte's judgment of conviction and sentence are affirmed.